

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 16-0455

GUY SANTIGLIA,

Petitioner and Appellant,

v.

RIVER ROCK COUNTY WATER AND SEWER
DISTRICT, RIVER ROCK PLANNING AND
ZONING COMMISSION,

Respondents and Appellees.

ORDER

FILED

NOV 29 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

On November 4, 2016, Appellee River Rock County Water and Sewer District (hereinafter the District), by counsel, filed a motion to dismiss this appeal. Appellant Guy Santiglia represents himself, and he has not filed a response to this motion.

The District provides the relevant background. The District states that Santiglia filed his notice of appeal on July 28, 2016, and later obtained an unopposed extension of time until October 28, 2016, to file his opening brief. As of November 4, 2016, Santiglia has not filed his opening brief, nor has he sought an extension of time. The District seeks dismissal because the “appellant [has failed] to file a brief within the time provided by the rules, or within an extended time[.]” M. R. App. P. 13(3).

This Court expects self-represented litigants to comply substantially with both the Montana Rules of Civil Procedure and Rules of Appellate Procedure. *CBI, Inc. v. McCrea*, 2012 MT 167, ¶ 21, 365 Mont. 512, 285 P.3d 429. Santiglia has failed to comply with these rules relative to his opening brief on appeal, and in addition has failed to timely file a response in opposition to the District’s motion to dismiss his appeal, as contemplated by M. R. App. P. 16(2). We therefore agree that dismissal is warranted in this matter.


IT IS ORDERED that the motion to dismiss is GRANTED, and this appeal is DISMISSED WITH PREJUDICE.

The Clerk is directed to provide a copy of this Order to counsel of record, and to Guy Santiglia personally.

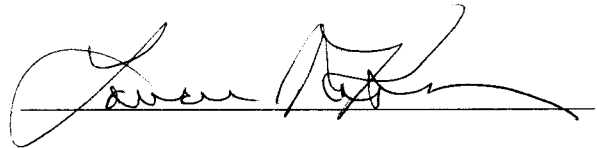
DATED this 29th day of November, 2016.




Chief Justice



Patricia Potter



Justice



Justices